



Attorney Docket No. 14410US01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the Application of:

Steven E. Koenck

Serial No. 09/597,917

Filed: June 20, 2000

For: Modular Portable Data Processing
Terminal For Use In A Radio
Frequency Communication Network

Examiner: Jamara A. Franklin

Group Art Unit: 2876

CERTIFICATE OF MAILING

I hereby certify that this correspondence
is being deposited with the United States
Postal Service as first class mail in an
envelope addressed to: Commissioner for
Patents, P.O. Box 1450, Alexandria, VA
22313-1450 on April 29, 2004.

Ronald H. Spuhler

Ronald H. Spuhler
Reg. No. 52,245

**TRANSMITTAL OF INFORMATION DISCLOSURE
STATEMENT AFTER APPLICATION FILING DATE**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Enclosed are the following:

- * A completed PTO form 1449 (modified) which has one (1) page.
- * A copy of each printed or patented reference listed in the enclosed form 1449 and not previously provided to or by the PTO in this application. Nine (9) references are enclosed.

FEE DETERMINATION

- * A fee of \$180.00 is due because:
 - * The first Office action on the merits has been received by applicant(s).
 - * Applicant(s) believe(s) that this statement and enclosures are being filed

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before any final action has been mailed by the PTO; before a notice of allowance has issued; and prior to any other action that would close prosecution in the application. The basis of this belief is that no final action, no notice of allowance, and no other action that would close prosecution of the application appear to have been received by the undersigned to date.

FEE PAYMENT

The following arrangements have been made to pay the fees calculated above:

* A check for \$180.00 is enclosed herewith.

The Commissioner is hereby authorized to charge any additional fees which are presently required, or credit any overpayment, to Deposit Account No. 13-0017.

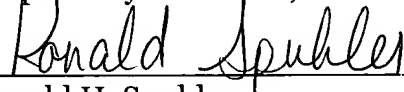
REQUEST FOR CONSIDERATION

This submission is in no way intended as an admission that the cited references constitute prior art under any subsection of 35 U.S.C. § 102 or §103. Applicant expressly retains the right to argue that any of the cited references are not indeed prior art or to take any actions necessary to remove any of the cited references from the available prior art.

The Examiner is requested to initial both copies of the enclosed PTO-1449 (modified) and return one copy to the applicants to indicate consideration of the enclosed references.

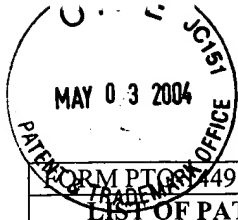
Date: April 29, 2004

Respectfully submitted,



Ronald H. Spuhler
Reg. No. 52,245

McAndrews, Held & Malloy
500 West Madison Street, Suite 3400
Chicago, Illinois 60661
(312) 775-8000



FORM PTO/A 449	SERIAL NO.: 09/597,917	CASE NO.: 1772/14410US01
LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT	FILING DATE: 06/19/00	GROUP ART UNIT: 2876
(use several sheets if necessary)	APPLICANTS: Koenck, et al.	

REFERENCE DESIGNATION

U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS/ SUBCLASS	FILING DATE
	A109	5,280,650				
	A110	5,283,568				
	A111	5,295,154				
	A112	5,546,397				
	A113	6,006,100				

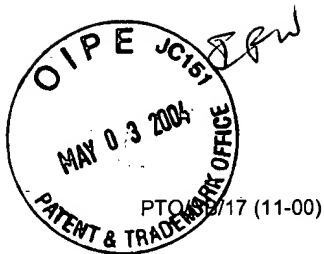
FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS/ SUBCLASS	TRANSLATION YES	NO
	B1	JP63027969A					
	B2	PCT/US92/0861 (WO 93/07691)					
	B3	GB2196766A					
	B4	EP0280543A2					

EXAMINER INITIAL	OTHER ART (Including Author, Title, Date, Pertinent Pages, etc.)	

EXAMINER:	DATE CONSIDERED:
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.



B 2876
#

Approved for use through 10/31/2002. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL for FY 2004 Patent Fees are subject to annual revision.		Complete if Known	
		Application Number	09/597,917
		Filing Date	06/19/00
		First Named Inventor	Koenck
		Examiner Name	Jamara A. Franklin
		Group Art Unit	2876
TOTAL AMOUNT OF PAYMENT	(\$180.00	Attorney Docket No.	1772/14410US01

METHOD OF PAYMENT		FEE CALCULATION (continued)	
1. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to: Deposit Account Number: 13-0017 Deposit Account Name: McAndrews Held & Malloy <input checked="" type="checkbox"/> Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17 <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27		3. ADDITIONAL FEES	
2. <input checked="" type="checkbox"/> Payment Enclosed: <input checked="" type="checkbox"/> Check <input type="checkbox"/> Credit Card <input type="checkbox"/> Money Order <input type="checkbox"/> Other			
FEE CALCULATION			
1. BASIC FILING FEE Large Entity Small Entity Fee Fee Fee Fee Code (\$) Code (\$) Fee Description Fee Paid		Fee Code Fee Code Fee Description Fee Paid	
1001 770 2001 385 Utility filing Fee		1051 130 2051 65 Surcharge - late filing fee or oath	
1002 340 2002 170 Design filing Fee		1052 50 2052 25 Surcharge - late provisional filing fee or cover sheet	
1003 530 2003 265 Plant filing fee		1053 130 1053 130 Non-English specification	
1004 770 2004 385 Reissue filing fee		1812 2,520 1812 2,520 For filing a request for ex parte reexamination	
1005 160 2005 80 Provisional filing fee		1804 920* 1804 920* Requesting publication of SIR prior to Examiner action	
SUBTOTAL (1) (\$0)		1805 1,840* 1805 1,840* Requesting publication of SIR after Examiner action	
2. EXTRA CLAIM FEES		1251 110 2251 55 Extension for reply within first month	
Total Claims <input type="text"/> - 20** = <input type="text"/> x <input type="text"/> = <input type="text"/>		1252 420 2252 210 Extension for reply within second month	
Independent Claims <input type="text"/> - 3** = <input type="text"/> x <input type="text"/> = <input type="text"/>		1253 950 2253 475 Extension for reply within third month	
Multiple Dependent <input type="text"/> = <input type="text"/>		1254 1,480 2254 740 Extension for reply within fourth month	
Large Entity Small Entity Fee Fee Fee Fee Code (\$) Code (\$) Fee Description		1255 2,010 2255 1,005 Extension for reply within fifth month	
1202 18 2202 9 Claims in excess of 20		1401 330 2401 165 Notice of Appeal	
1201 86 2201 43 Independent claims in excess of 3		1402 330 2402 165 Filing a brief in support of an appeal	
1203 290 2203 145 Multiple dependent claim, if not paid		1403 290 2403 145 Request for oral hearing	
1204 86 2204 43 **Reissue independent claims over original patent		1451 1,510 1451 1510 Petition to institute a public use proceeding	
1205 18 2205 9 **Reissue claims in excess of 20 and over original patent		1452 110 2452 55 Petition to revive - unavoidable	
SUBTOTAL (2) (\$0)		1453 1,330 2453 665 Petition to revive - unintentional	
**or number previously paid, if greater; For Reissues, see above		1501 1,330 2501 665 Utility issue fee (or reissue)	
		1502 480 2502 240 Design issue fee	
		1503 640 2503 320 Plant issue fee	
		1460 130 1460 130 Petitions to the Commissioner	
		1807 50 1807 50 Processing fee under 37 CFR 1.17(q)	
		1806 180 1806 180 Submission of Information Disclosure Stmt	
		8021 40 8021 40 Recording each patent assignment per property (times number of properties)	
		1809 770 2809 385 Filing a submission after final rejection (37 CFR § 1.129(a))	
		1810 770 2810 385 For each additional invention to be examined (37 CFR 1.129(b))	
		1801 770 2801 385 Request for Continued Examination (RCE)	
		1802 900 1802 900 Request for expedited examination of a design application	
		Other fee (specify) _____	
		SUBTOTAL (3) (\$180.00)	

SUBMITTED BY		Complete (if applicable)	
Name (Print/Type)	Ronald H. Spuhler	Registration No. (Attorney or Agent)	52,245
Signature	<i>Ronald Spuhler</i>	Telephone	312-775-8000
		Date	04/29/04

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.



PTO/SB/21 (08-00)

Approved for use through 10/31/2002

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction act of 1995, no person is required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM	
(to be used for all correspondence after initial filing)	
Application Number	09/597,917
Filing Date	06/19/00
First Named Inventor	Koenck
Group Art Unit	2876
Examiner Name	Jamara A. Franklin
Attorney Docket Number	1772/14410US01

ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement (2 pages) <input checked="" type="checkbox"/> PTO 1449 (1 page) with copies of 5 cited U.S. patents and 4 cited foreign patents <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) (sheets) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): <input checked="" type="checkbox"/> Reply postcard
<div>Remarks</div>		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual Name	Ronald H. Spuhler, Reg. No. 52,245 McAndrews Held & Malloy, Ltd.
Signature	<i>Ronald H. Spuhler</i>
Date	April 29, 2004

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on April 29, 2004

Name (Print/type)	Ronald H. Spuhler	Registration No. (Attorney/Agent)	52,245
Signature	<i>Ronald H. Spuhler</i>	Date	04/29/04